

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 111th Congress¹**

[Date approved: May 3, 2010]²

Bill No. and sponsor: S. 2276 (Mr. Sherrod Brown of Ohio et al.).

Proponent name,³ location: Perstorp Polyols, Inc., Toledo, OH.

Other bills on product (111th Congress only): None.

Nature of bill: Extension of temporary duty suspension through December 31, 2011.⁴

Retroactive effect: None.

Suggested article description(s) for enactment (including appropriate HTS subheading(s)):


Mixture of 2-butyl-2-ethylpropane-1,3-diol (CAS No. 115-84-4) and neopentyl glycol (CAS No. 126-30-7) (provided for in subheading 3824.90.92).

Check one: ☒ Same as that in bill as introduced.
 ☐ Different from that in bill as introduced (see Technical comments section).

Product information, including uses/applications and source(s) of imports:

The subject mixture is a synthetic organic chemical that is used as a component in architectural and industrial coatings (i.e., paints) and to make heat stabilizers for polyethylene and polypropylene. The mixture is imported from Belgium and Sweden.

Estimated effect on customs revenue for the subject product classifiable in HTS subheading 3824.90.92:

	2010	2011	2012	2013	2014
					
Col. 1-General rate of duty	5%	5%	5%	5%	5%
Estimated value <i>dutiable</i> imports ^a	\$3,000,000	\$3,150,000	\$3,300,000	\$3,450,000	\$3,600,000
Customs revenue loss ^b	\$150,000	\$157,500	\$165,000	\$172,500	\$180,000

a/ Dutiable import estimates were based on official U.S. Government statistics and import estimates provided by industry sources.

b/ At the request of Congress, customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ.

¹ Industry analyst preparing report: Eric Land (202-205-3349); Tariff Affairs contact: Dave Michels (202-205-3440).

² Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tariff_affairs/congress_reports/.

³ The sponsor/proponent did not identify any additional beneficiaries of this bill.

⁴ Heading 9902.23.93 expired on December 31, 2009.

Contacts with domestic firms/organizations (including the proponent):

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Perstorp Polyols, Inc. (Proponent) Jeff Jones, Jeff.Jones@perstorp.com	12/15/2009	No	No	No
BASF Gregory A. Thies, gregory.thies@basf.com	12/24/2009	No	No	No
Bayer Corp. Karen Niedermayer, karen.niedermayer.b@bayer.com Julie van Egmond, julie.van_egmond@bayerbms.com	12/24/2009	No	No	No
Chemtura Matt Mattingley, matt@mattingleygroup.com	12/24/2009	No	No	No
Ciba Corporation Michelle Forte, michelle.forte@cibasc.com Bob Hurley, rhurley@theaccordgroup.com	12/24/2009	No	No	No
Clariant Andrew Zamoyski, az@azamoyski.com Mike Carroll, mike.carroll@clariant.com	12/24/2009	No	No	No
DuPont Elaine Olson, Elaine.m.olsen@usa.dupont.com	12/24/2009	No	No	No
Fanwood Chemical, Inc. Jim DeLisi, jdelisi@fanwoodchemical.com	12/24/2009	No	No	No
The Flint Group Ashley Craig, awcraig@venable.com	12/15/2009	No	No	No
LANXESS Jamie Schaeffer, Jamie.Schaeffer@Lanxess.com	12/24/2009	No	No	No

Technical comments:⁵

None.

⁵ The Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only the U.S. Customs Service is authorized to issue a binding ruling on this matter. The Commission believes that the U.S. Customs Service should be consulted prior to enactment of the bill.

111TH CONGRESS
1ST SESSION

S. 2276

To extend temporarily the suspension of duty on BEPD70L.

IN THE SENATE OF THE UNITED STATES

OCTOBER 29, 2009

Mr. BROWN (for himself and Mr. VOINOVICH) introduced the following bill;
which was read twice and referred to the Committee on Finance

A BILL

To extend temporarily the suspension of duty on BEPD70L.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. BEPD70L.**

4 (a) IN GENERAL.—Heading 9902.23.93 of the Har-
5 monized Tariff Schedule of the United States (relating to
6 BEPD70L) is amended by striking the date in the effec-
7 tive column period and inserting “12/31/2011”.

8 (b) EFFECTIVE DATE.—The amendment made by
9 subsection (a) applies to goods entered, or withdrawn from
10 warehouse for consumption, on or after the 15th day after
11 the date of the enactment of this Act.